

Public Chapter 553

HOUSE BILL NO. 1606

By Representatives McDaniel, Stamps, Gunnels, Rinks, Davis, Walley, Ronnie Cole, Kisber, Wood

Substituted for: Senate Bill No. 357

By Senator Cooper

AN ACT to amend Tennessee Code Annotated, Title 68, Chapter 11 and Title 71, Chapter 5, relative to nursing facilities.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 68-11-216, is amended by deleting subdivision (d)(2) and substituting the following:

(2) Effective for two (2) years beginning July 1, 1997, in addition to the fees set forth in subsection (a), each nursing home shall pay an annual nursing home tax as set forth in this subsection. Such tax shall be paid in equal monthly installments of one-twelfth (1/12) of the annual amount established by this subsection. The installments are due on the fifteenth of each following month beginning August 15, 1997, for the July 1997 installment and ending with a final payment on July 15, 1999.

SECTION 2. Tennessee Code Annotated, Section 68-11-216, is further amended by deleting subdivision (d)(3) in its entirety and substituting the following:

(3) The annual nursing home tax shall be based on the number of nursing home beds licensed by the State of Tennessee on July 1, 1997, and on July 1, 1998, for the respective fiscal year following such date, excluding beds in nursing homes specifically certified as intermediate care beds for the mentally retarded. The tax shall be uniformly applied to all licensed beds at the rate of two thousand six hundred dollars (\$2,600) per licensed bed per year. Licensed facilities which are owned or operated by an agency of the State are not excluded from paying the tax. There shall be no exclusions, deductions or adjustments applied to the tax of any licensed facility different from any other such facility. Beds licensed after July 1, 1997, and July 1, 1998, shall pay a prorated amount of the annual tax for the respective fiscal year following such date.

SECTION 3. Tennessee Code Annotated, Section 68-11-216(d)(7), is amended by adding the words "plus penalty and interest" after the word "tax" in the last sentence of subdivision (A); and is further amended by adding the following sentence after the first sentence of subdivision (C), to read:

The facility will remain locked into this process until the tax established by this subsection is terminated or has not been renewed by subsequent amendment.

SECTION 4. Tennessee Code Annotated, Section 68-11-216(d), is amended by deleting the year "1995" from subdivision (10) and substituting the year "1997" and by deleting the year "1997" from subdivision (12) and substituting the year "1999".

SECTION 5. Tennessee Code Annotated, Section 68-11-830, is amended by deleting the date "July 15, 1997" from subdivision (d)(2)(B) and substituting the date "July 15, 1999" and by deleting the date "June 30, 1997" from subdivision (d)(10) and substituting the date "June 30, 1999".

SECTION 6. This act shall take effect July 1, 1997, the public welfare requiring it.